

**AN ORDINANCE GRANTING THE AUTHORITY TO THE CITY MANAGER
OR THE DEPARTMENT HEAD TO ENTER INTO AND SIGN CERTAIN
PERSONAL, PROFESSIONAL AND INDEPENDENT SERVICE CONTRACTS
ON BEHALF OF THE CITY**

WHEREAS, on February 7, 2004, a Charter election was held and the voters of El Paso elected to amend Section 4.2 of the Charter to allow Council to, by ordinance, provide for additional designated official to sign acts of Council on behalf of the Mayor; and,

WHEREAS, under Section 252.022(a)(4) of the Local Government Code, personal and professional service contracts are exempt from the bidding requirements of that Section; and,

WHEREAS, the City enters into many personal, independent and professional services contracts due to the part time, seasonal or temporary nature of certain non-civil service positions within the City; and,

WHEREAS, there is a high turn over rate in some of these positions, thereby creating an immediate need, for reasons of economy and efficiency, to fill the positions expeditiously to enable the department to continue to provide the same level of recreational services to the public; and,

WHEREAS, the City Council has determined that for purposes of efficiency that the City Manager or Department Head be designated to enter into and sign certain contracts on behalf of the City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That Council hereby gives the authority to either the City Manager or the Department Head to enter into contracts on behalf of the city and sign and bind the City for those contracts specified below. None of the contracts will be to fill positions that are in the classified services.
2. That Council determines under the provisions of Charter Section 6.6-5, that for reasons of economy, efficiency or immediate and temporary need it is necessary for these types of contracts to be filled outside the Civil Service.
3. Council designates that the City Manager or Department Head be designated to enter into and sign contracts identified below on behalf of the City.
 - a. Parks and Recreation contracts that are seasonal in nature (i.e. life guards, pool attendants, pool managers), and temporary class instructors may be entered into and signed by the Parks and Recreation Department Head. By previous policy adopted by the Civil Service Commission, these contracts do not require approval by the Civil Service Commission
 - b. Personal services contracts or independent contracts, either part-time or full time, that do not exceed a base salary of fifty thousand dollars, may be

entered into and signed by the City Manager. The base salary does not include fringe benefits.

- c. Personal services or professional services contracts, or independent contracts, either part-time or full time, that do not exceed a base salary of ten thousand dollars and do not exceed a term of one year, may be entered into and signed by the appropriate Department Head. The base salary does not include fringe benefits.

3. All other contracts, must be approved by the City Council prior to the starting date of the contract.

PASSED AND APPROVED this _____ day of September 2004.

THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Guadalupe Cuellar
Deputy City Attorney

APPROVED AS TO CONTENT:

Jim Martinez
Chief Administrative Officer